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BULLETIN

OF

THE AMERICAN ASSOCIATION
OF UNIVERSITY PROFESSORS

ANNUAL MEETING
BALTIMORE, DECEMBER 28

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GENERAL ANNOUNCEMENTS

The extraordinary conditions under which all educational institutions in the United States are now working necessarily react gravely on the membership of this Association and make it difficult either to carry on our current business or to make plans for future work and policy.

ANNUAL MEETING.—The statement from the chairman of Committee Q (on conference with other societies as to place and time of meetings) published in the May BULLETIN was circulated to local branches with a request for expressions of opinion. Most of the local branches have apparently held no meetings since and the number of replies is too small to be significant. The matter has been referred to the Council with the hope of securing a decision in time for publication in this issue (see page 4).

It is not yet possible to make definite announcements in regard to the program, but besides committee reports there will be many matters of special interest in connection with war activities and the reaction of war conditions on college and university work. The meeting should be important in the life of the Association and significant also as a manifestation of the patriotism of our profession.

THE AMERICAN COUNCIL ON EDUCATION.—The broader title has been assumed by the former Emergency Council on Education. The Council has, during the summer, through its Washington office, maintained close contact with the War Department's Committee on Education and Special Training in connection with plans for a Students Army Training Corps. This has been a part of a nation-wide campaign in behalf of education, which has been conducted during the summer and is still in progress. Eight general committees have been appointed, as follows: On Students' War Service, Education for Citizenship, Educational Reconstruction, International Educational Relations, Opportunities for Study, A Department of Education, Co-operating Societies, and War Service Training for College Women and Students. Surgeon-General Gorgas has asked the Council to adapt the Vassar plan for preparatory courses for nurses to other leading colleges and universities

of the country, and the activities of the Committee will extend to all phases of preparation for women's war work.

The Council has already, through its Committee, been active in plans for International Educational Co-operation. It has been designated as the responsible body for the reception of the British Educational Commission which is to arrive shortly in this country, and which will make an extensive tour of investigation of leading educational centres in the United States and Canada.

PUBLICATIONS RECEIVED BY THE SECRETARY'S OFFICE.—*Bureau of Education, Higher Education Circular No. 10*, discusses the effect of the war on college budgets, dealing for this purpose with sixteen institutions, not named but selected as typical; at least eleven of these are said to be facing material deficits for the current school year as a result of the war. "The issue of the preservation of America's privately supported colleges and universities is squarely before the nation for consideration. The Bureau of Education invites correspondence and suggestions as to the best method for helping private institutions in the present crisis."

Bureau of Education Bulletin No. 14, Monthly Record of Current Educational Publications, May, 1918. These are specified under Proceedings of Associations, Educational History and Biography, Current Education Conditions, Higher Education, Teachers: Training and Professional Status, etc.

Bulletin of the Association of American Colleges, Vol. IV, No. 4, May, 1918, containing articles on Military Training for Colleges, The Emergency Council on Education, "Rapprochement Intellectuel" between France and the United States, College Women and the War, Educational Activities in National Army Camps, The National Research Camps.

COUNCIL AND EXECUTIVE COMMITTEE BUSINESS.—*New Committee*. A special committee, consisting of W. F. Willcox (Cornell), J. H. Hollander (Hopkins), and E. W. Kemmerer (Princeton) has been appointed to deal with questions submitted by J. M. Cattell, formerly of Columbia University.

The Annual Meeting will be held at Baltimore Saturday, December 28. Details will be published in the next issue.

COMMITTEE ANNOUNCEMENTS

COMMITTEE I, UNIVERSITY ETHICS.—It is the hope of the Committee that its work may parallel that of the Committee on Professional Ethics of the New York County Lawyers' Association. For some years the latter Committee has been answering specific questions in regard to matters of legal ethics submitted to it, and has published and circulated the questions and answers. For those who may not know of the work of that lawyers' committee, questions and answers 78 and 139, which relate to matters which may be of interest to laymen, are here inserted. They are:

78. *Question:* The following questions are submitted by a lawyer who, while managing clerk in the employ of another lawyer, learned of the latter's irregularities as specified below. The inquirer has severed his relations with said former employer on account of the said irregularities, but he now inquires whether it is his professional duty to take any other steps in respect to the matter, and if so, what?

(a) While in the said employ the inquirer learned by virtue of his employment that his employer, acting in behalf of a plaintiff in a negligence action, had received from a casualty company which appeared for the unsuccessful defendant, a check in full payment of a judgment for damages and costs rendered in behalf of the plaintiff, the employer's client, but the employer (as the inquirer is advised by the plaintiff) has not acquainted the plaintiff with the fact of such payment or accounted to him for the amount thereof, but has falsely informed his client that an appeal from said judgment is pending and has retained the money without the knowledge of the client.

(b) The employer was retained to prosecute an action for breach of promise of marriage; the inquirer learned from an affidavit procured by him at his employer's suggestion, detailed facts which if disclosed would demonstrate that the plaintiff has no cause of action, and particularly when the alleged promise was made the plaintiff knew that the defendant was a married man and legally unable to carry out his promise. The employer had full cognizance of the contents of the affidavit but nevertheless directed the inquirer to serve a summons upon the defendant, and the defendant was accordingly served by direction of the inquirer.

(c) While in the said employment the inquirer learned of the misapplication by the employer of funds entrusted to him by a client for investment, and the employer falsely represented to his client that the investment had been made as directed and falsely persuaded the client to delay foreclosure on the pretense that the maker of the obligation, in which he falsely pretended to have made the investment, is an honest but poor man.

Answer: This Committee never expresses an opinion as to whether a given state of facts is ground for disciplining an attorney. To do so would trench upon the jurisdiction of another committee of this Association. This Committee therefore treats Question No. 78 as presenting but one inquiry, viz., whether it is the professional duty of a lawyer to inform against his former employer, also a lawyer, when knowledge of the employer's flagrant wrongdoing has come to the employee in the course of the latter's employment as managing clerk—that is, in a confidential capacity. In the opinion of the Committee, an employee, being a lawyer, owes a higher duty to his profession at large than to a dishonest employer, and therefore should not only leave the employment, but lay all the facts before the proper committee of a bar association. (See No. 29, Canons of Ethics of the American Bar Association.)

139. *Question:* A, an attorney, is approached by the attorneys for a public service corporation, with whom he has no previous acquaintance, and is asked to appear at a public hearing as a citizen and taxpayer to object to action to which the corporation is opposed; the attorneys offer to pay him a fee for doing so. A declines the employment. The attorneys, in the course of the conversation, inform A that his name has been suggested by X, an attorney and a man of prominence and influence, as one who may be available for the purpose; after A declines, they mention the names of some others who had been suggested for this employment and ask A's views as to their availability; they particularly inquire about Y, another attorney of prominence in local politics. A takes no part in the matter referred to. The subject matter of the hearing is involved in a subject which is about to come up for important public action. Knowledge on the part of the public of the foregoing facts and particularly of the relations of X and Y and of the corporation and its attorneys to the transaction might materially influence the attitude of the public on the question. Whether that influence would tend toward a desirable or an undesirable result is not at

present clear to A, partly because persons on both sides of the controversy are likely to be affected by the disclosure.

The questions on which the Committee's opinion is asked are:

(1) Would A have been justified in accepting the employment offered?

(2) What is A's duty with respect to making public disclosure of the facts stated above and more particularly:

(a) Is he under a duty to the corporation and its attorneys not to disclose them?

(b) Is he under a duty to the Public to disclose them?

(c) Is he justified in entering into a public discussion on the merits of the question in which he will express his own personal views without disclosing the foregoing facts?

(d) Is he justified in using his own judgment and in disclosing or not disclosing the foregoing facts, according, as in his own opinion, their disclosure will tend to action in the public interest or the reverse?

Answer: In the opinion of the Committee:

(1) It would have been improper for the attorney to masquerade as suggested. (See Canon 26 of the American Bar Association.)

(2) (a) No. The employment offered was not of proper professional nature and therefore imposed no confidential relation.

(b) No; but he may use his discretion.

(c) Yes.

(d) Yes.

Over one hundred and fifty questions pertaining to legal etiquette and legal ethics have been answered. That Committee has had the inestimable advantage of having its members able to meet to pass on questions, which the Committee on University Ethics could seldom have, but questions could be answered after consultation by correspondence. The Committee on University Ethics therefore invites the submission of specific questions in regard to the ethical phases of university life.

It is also the hope of the Committee to arrange round table conferences on special topics of University Ethics as to which general discussion would probably prove enlightening. Many of the matters which have been suggested for the consideration of the Committee on University Ethics have a very close relation to the work of the Committee on Academic Freedom, and it is hoped that round table conferences of the two committees may be held so that a

satisfactory demarcation of the fields of work of the committees may be made and so that possibly some problems may receive a satisfactory joint solution.

In the BULLETIN of December, 1917, some of the general problems submitted to the Committee on University Ethics are mentioned. Three others have been suggested to the Committee:

(1) Bidding for patronage by an instructor or department at the expense of other instructors or departments in the same institution.

(2) The etiquette to be followed on receipt of an offer from another institution and the propriety of resignations which embarrass departments or institutions.

(3) The propriety of using university stationery when writing letters about public affairs.

COMMITTEE U, PATRIOTIC SERVICE.—Chairman Haskins having resigned in consequence of the assumption of new duties, has been succeeded by Shailer Mathews (Theol.), Chicago.

COMMITTEE V, APPARATUS FOR PRODUCTIVE SCHOLARSHIP.—This Committee has recently been organized as follows: Chairman, J. M. Burnam (Latin), Cincinnati; Vice-Chairman, F. J. Teggart (History), California. Preliminary list of members: C. D. Buck (Sanskrit and Indo-European Philosophy), Chicago; Clive Day (Economics), Yale; J. A. Fairlie (Pol. Sci.), Illinois; Max Farrand (History), Yale; G. T. Flom (Scandinavian Languages), Illinois; C. H. Grandgent (Italian), Harvard; M. F. Guyer (Zoology), Wisconsin; G. L. Hamilton (French and Romanic Philology), Cornell; A. R. Hatton (Government), Western Reserve; P. J. Healy (Ecclesiastical History), Catholic University of Washington; E. R. Hedrick (Mathematics and Astronomy), Missouri; M. Jastrow, Jr. (Semitic Languages), Pennsylvania; V. L. Kellogg (Entomology), Stanford; C. Knapp (Latin), Columbia; B. E. Livingston (Botany), Hopkins; J. C. Merriam (Paleontology), California; H. Prinz (Dentistry), Pennsylvania; D. R. Stuart (Greek), Princeton; F. Thilly (Philosophy), Cornell; C. Thomas (Germanic Languages), Columbia; J. W. Tupper (English), Lafayette; C. P. Wagner (Hispanic Languages), Michigan; J. B. Watson (Psychology), Johns Hopkins.

The Vice-Chairman is now actively at work in Washington, having leave of absence from the University of California.

NOTES FROM LOCAL BRANCHES

PRINCETON.—A resolution adopted by the Board of Trustees in the early summer covers two points of interest to members of the Association: "It affirms the continued adherence of the Princeton Trustees to the principle of the security of academic tenure, and it establishes a course of procedure to be followed in case charges are brought against a member of the Faculty, looking to his removal. This plan provides that before final action is taken in such a case by the Trustees, the professor in question shall receive a statement in writing of the charges made against him, and shall be entitled to a hearing before a committee made up exclusively of members of the Faculty, with power to report its opinion to the Board, and to another hearing before a body made up of this Faculty Committee and a committee of the Board.

"A proposal to take this action was first brought up in the 'Conference,' which is composed of a standing committee of the Board of Trustees and a standing committee of the Faculty. After discussion and improvement, the motion was submitted to the Faculty by its committee, was sent up to the Board in the form of a recommendation and laid before the Board by its committee. It is the joint product therefore of the Trustees and the Faculty, and it would have been difficult to secure a measure equally satisfactory both to the Trustees and the Faculty in any other way than through the formulation of it by an organization like the Conference which represents both bodies. The Conference Committee of the Faculty is also a particularly appropriate body to be used in such a procedure as this, because it is a standing committee which has stated meetings with a corresponding committee of the Board of Trustees."

The text of the resolution is as follows: "Without either limiting or abrogating any of the powers, duties or privileges granted by the Charter to the Board of Trustees, or intending to make any change in the policy which it has followed for many years of upholding the security of academic tenure, the Board of Trustees hereby declares that it is its intention, in case a proposal is brought before it to dismiss from the University a professor or assistant professor, to proceed as follows: 'Before a professor or assistant professor is removed from his professorship for cause, he shall receive a state-

ment in writing of the reasons for the proposed removal and shall be entitled, if he wishes it, to a hearing before the Conference Committee of the Faculty. The Committee, after considering the case, shall report its opinion, with a full statement of the reasons, to the Trustees. Before final action is taken by the Board a committee thereof shall meet with the Conference Committee to discuss the report, at which meeting the professor shall again have a right to appear and be heard.' "

SWARTHMORE.—At a meeting of the Swarthmore Branch of the American Association of University Professors, held in Swarthmore on May 15, 1918, the following resolution was unanimously adopted:

Resolved, that the American Association of University Professors be asked to investigate the rapid increase of the cost of living in recent years and to recommend any means for meeting the same that may tend to safeguard the standards of the profession under the conditions thus created.

COLORADO COLLEGE—REPORT ON COLLEGE AND UNIVERSITY ADMINISTRATION, PART 1*—DOES THE FACULTY PARTICIPATE IN THE ADMINISTRATION OF THE AMERICAN COLLEGE?

The faculty of Colorado College, through a committee, made a careful investigation of this subject in the fall of 1916, including in its investigation one hundred and twenty three institutions. Separate sub-committees dealt with the position and functions of the faculty in college government; the make-up, method of election and functions of boards of trustees, the duties and powers of administrative officers; and related matters of college finance. Particular care was taken to investigate actual customs and tendencies rather than merely the corresponding statutory or theoretical material. The questionnaire circulated covered the different possible agencies dealing with budgets, appointments, promotions, dismissals, selection of committees, and salaries.

The point of view and findings may be illustrated by the following extracts from the Report:

Thus we find the by-laws, ascribing all power to the Board of Trustees, impracticable. The college president, the one who knows, must, whether he wishes it or not, take the responsibility. As he recommends, so the Trustees legislate. If he is ambitious (and he would be unworthy of his trust if not somewhat ambitious) he willingly accepts the power thrust upon him. From now on the college has a centralized authority. If the president is strong and wise the institu-

* Part II previously received has been mentioned in the May BULLETIN.

tion, if small, flourishes. If he is weak and selfish, and assuredly sooner or later, as one ruler replaces another such an one will come into power, trouble will arise to injure the college and expose the essential faults of the system.

* * * * *

When the autocratic president is jealous of his power, the by-laws are overthrown by a revolution of the faculty. This is happening all over the country, and always the change is toward greater democracy and co-operation. In the college the result, reached through revolt or wise presidential recommendation, is faculty control together with co-operation between faculty and president; in the university it is department control, the president serving merely to unify the activities of the whole institution.

* * * * *

DEFINITION OF DEMOCRATIC GOVERNMENT.—The faculty has been given a chance to exert its influence in the administration of many large colleges. Examples have already been cited. In such colleges the outward signs, as distinguished from the inward signs, such as the spirit of personal interest in and responsibility for the welfare of the institution among the officers of instruction, are these: a faculty committee on the budget, one on appointments, and one on committees. The first of these may include the president and a faculty group consisting largely of administrative officers. To be truly democratic and representative, however, the budget committee should consist largely of persons chosen by the faculty. In the most advanced colleges the faculty elects the budget committee by ballot without nomination, and the committee prepares the budget with or without the advice of the president. The committee on appointments usually consists of heads of departments, or officers of instruction whose tenure is permanent, who co-operate with the president upon matters of appointment, promotion, dismissal and the like. Generally this body, unless it includes practically all of professional rank and life tenure, is elected by ballot by the whole faculty. The president is ex-officio a member, often the chairman of the committee on appointments. The third committee, on nominations or committees, in its best form is elected by the faculty in some democratic manner. Its duty is to elect the standing committee of the faculty, often the temporary committees and all faculty representatives. Frequently the president is a member.

In many institutions the duties ascribed to the first two bodies belong to one powerful committee. The third group, the committee on committees, seems to be the most recent development of democratic control, and the one gaining most rapidly in popularity. Several colleges display but one or two of the outward signs of democracy.

Democratic government in a large university makes use of administrative machinery quite different from that of the college, but arouses the same enthusiasm among the faculty members. In these big institutions with their numerous colleges and schools democratic control is felt most in the matter of budgets, appointment, promotion, dismissal, and the like. Usually the budget for each department is prepared by the departmental group concerned and through the head of the department or other representatives recommended to a faculty group of the college or school. This group revises the budgets of the departments, prepares one for the school, and presents it to the president. He, together with the

deans and directors of the colleges and schools, considers the budgets and puts the university budget in shape for recommendation to the board of regents or trustees. Appointments, promotions, dismissals, etc., may originate within departmental bodies, but probably come for ratification to a body or council representing all the colleges and schools. This council may consist only of ex-officio members like the president and deans, but in the most progressive universities officers of instruction elected by the faculties of the several schools are members.

* * * * *

The tables show a growing recognition of the desirability of democratic government in colleges and universities. About two-thirds of the institutions under the autocratic form of government are old. Less than half of the democratic institutions are old. In other words, the greater number of new institutions have been founded with the realization that the faculty is a body whose power and judgment are not to be ignored. The old institutions, begun with other conceptions of the duties and rights of the officers of administration, are slow to accept progressive ideas, and are adopting faculty control or co-operation usually under pressure or after a revolt of the faculty or alumni.

A good deal of specific information is given in regard to particular institutions, especially those which have recently shown progressive tendencies.

MEMBERSHIP

A new form of nomination blank has been approved by the Committee on Admissions and should be used hereafter in place of earlier cards.

MEMBERS ELECTED

The Committee on Admissions announces the election of seventy-seven members, as follows:

Brown University, E. C. Griffith; **Bryn Mawr College**, James Barnes, Matilda Castro, Regina K. Crandall, Lucy M. Donnelly, Marion P. Smith; **University of California**, Clifton Price; **Carleton College**, A. L. Keith; **University of Chicago**, Charles Goettsch; **Colgate University**, J. B. Anderson, J. F. McGregory, M. S. Read; **Cornell University**, D. Reddick, A. H. Wright; **Earlham College**, J. H. Coffin; **Fargo College**, F. E. Stratton; **University of Florida**, H. W. Cox, W. L. Floyd; **Haverford College**, F. D. Watson; **University of Kentucky**, P. P. Boyd, Lyman Chalkley, E. F. Farquhar, E. S. Good, W. T. Lafferty, C. R. Melcher, A. M. Miller, J. T. C. Noe, A. M. Peter, F. E. Tuttle; **Knox College**, J. A. Campbell, J. L. Conger, G. T. Sellew; **Mount Holyoke College**, Bertha H. Putnam, Alma G. Stokay; **Massachusetts Institute of Technology**, N. R. George, A. G. Robbins; **University of Nevada**, Peter Frandsen; **North Dakota Agricultural College**, R. C. Doneghue; **University of North Dakota**, E. T. Towne; **Ohio State University**, E. A. Cottrell, E. H. McNeal; **University of Pennsylvania**, G. G. Huebner; **University of Pittsburgh**, F. H. Lane, J. H. White; **Purdue University**, William Aitkenhead, Herman Babson, B. W. Bond, Jr., Stanley Coulter, R. A. Craig, R. G. Dukes, O. A. Greiner, G. L. Roberts, C. M. Smith; **Smith College**, Mary B. Fuller, Mary D. Lewis, R. E. S. Olmstead; **Union College**, F. C. Barnes, J. I. Bennett, E. J. Berg, J. A. C. Callan, J. L. March, Howard Opdyke; **Vassar College**, Gertrude Smith, Henriette Struck, Florence D. White, Frances G. Wick; **University of Virginia**, Charles Hancock, L. G. Hoxton, J. L. Newcomb, R. H. Webb; **Wellesley College**, Mabel E. Hodder, Amy Kelly, Margaret P. Sherwood, Alice I. P. Wood; **Wesleyan University**, E. S. Brightman; **Western Reserve University**, Clara L. Myers, Emma M. Perkins.

NOMINATIONS FOR MEMBERSHIP

The following eleven nominations are printed as provided under Article IV of the Constitution. Objection to any nominee may be addressed to the Secretary, H. W. Tyler, Massachusetts Institute of Technology, Cambridge, Mass., or to the Chairman of the Committee on Admissions,* and will be considered by the Committee if received before January 1, 1919.

The Committee on Admissions* consists of J. V. Denney (Ohio State), Chairman; Florence Bascom (Bryn Mawr), Edward Capps (Princeton), J. Q. Dealey (Brown), A. R. Hohlfeld (Wisconsin), G. H. Marx (Stanford), and F. C. Woodward (Washington, D. C.).

The names of nominators follow the name of each nominee in parentheses. Nominators for whom no institution is specified are colleagues of the nominee.

Gregory P. Baxter (Chemistry), Harvard,
(C. H. Moore, C. H. Haskins, L. J. Henderson)

Wallace Craig (Philosophy and Psychology), Maine,
(G. D. Chase, J. B. Segall, Caroline Colvin)

H. Jermain M. Creighton (Chemistry), Swarthmore,
(R. C. Brooks, Gellert Alleman, H. C. Goddard)

Edward Barlow Evans (Public Speaking), Drake,
(O. B. Clark, Herbert Martin, L. W. Smith)

Everett Walton Goodhue (Economics and Sociology), Colgate,
(A. P. Brigham, G. R. Berry, W. M. Chester)

Eric Viele Greenfield (Modern Languages), Purdue,
(J. C. Arthur, E. S. Ferry, J. Troop)

Charles Horswell (Biblical Literature), Hamline,
(C. B. Atwell, Northwestern, H. L. Osborn, T. P. Beyer)

O. E. Jennings (Botany), Pittsburgh,
(A. Silverman, A. E. Ortmann, L. R. Gibbs)

Herbert McLean Evans (Anatomy), California,
(G. R. Noyes, Stuart Daggett, H. R. Hatfield)

Robert C. Pugh (Law), Cincinnati,
(Harris Hancock, L. T. More, N. M. Fenneman)

John Pierpont Rice (Romance Languages), Williams,
(J. B. Pratt, R. L. Taylor, W. E. McElfresh)

*Nominations should in all cases be presented through the Secretary, H. W. Tyler, Mass. Institute of Technology, Cambridge, Mass.

